

**CITY OF CORVALLIS**  
**COUNCIL POLICY MANUAL**

**POLICY AREA 1 - GENERAL**

**CP 07-1.10**      **Advertising on Corvallis Transit System Buses**

**Adopted March 5, 2007**

Revised March 15, 2010

Revised April 1, 2013

**1.10.010**    **Purpose**

A. The purpose of this policy is to establish standards for the display of advertising in or on the Corvallis Transit System (CTS) buses. This policy is intended to provide objective and enforceable standards for determining the scope of permissible advertising on city buses. It is intended that these standards be applied consistent with the free speech guarantees of the constitutions of the United States and the State of Oregon.

B. It is the City's declared intent and purpose to take into account interests which are of importance to the operation of the transit system. These interests include:

- (1) Maximizing revenues to CTS operations by selling advertising space;
- (2) Promoting and maintaining an orderly administration and operation of the transit system, which includes maximizing revenues by attracting and maintaining the patronage of passengers;
- (3) Maintaining the safety of passengers;
- (4) Protecting minors who travel on the City's transportation system;
- (5) Avoiding any potential identification of the City with viewpoints, express or implied, by any advertisement permitted on City buses; and
- (6) Maintaining neutrality on political and religious issues.

## Council Policy 07-1.10

C. The City reserves the right to amend these policies and standards at any time, including the right to declare a complete ban on all advertising on all City buses and direct that no advertisements of any kind be accepted for display and posting.

### 1.10.020 Definitions

Advertiser - An individual, company, agency, association, organization, or any other type of entity proposing to place an advertisement on or in CTS buses.

Advertising Contractor - An individual or company under contract to the City of Corvallis to sell, install, maintain, and remove advertisements on CTS buses, and to administer the bus advertising program in accordance with the requirements of this policy.

Corvallis Transit System (CTS) - A public transportation system operated by the City of Corvallis.

Public Service Announcements - Viewpoint-neutral messages which are not commercial in nature.

### 1.10.030 Policy

A. Attribution. All advertisement on City buses shall clearly and unambiguously identify the person or entity that has sponsored, paid for, or caused the ad to be placed on city buses. Web site addresses or phone numbers without definition or identification of sponsorship, are insufficient to satisfy this section.

B. Disclaimer. City requires, in all circumstances, that an advertisement on or in its buses include a disclaimer indicating that it is not sponsored by, and does not necessarily reflect the views of the City. This provision does not apply to advertisements that the City sponsors or co-sponsors.

C. Limitations Upon Advertisements. Certain forms of paid and unpaid advertising will not be permitted for placement or display on or in City buses. No advertisement will be displayed or maintained if the advertisement or information contained in it falls within one or more of the following categories:

- (1) False, misleading, or deceptive commercial speech. The advertisement proposes a commercial transaction, and the advertisement, or any material contained in it, is false, misleading,

## Council Policy 07-1.10

or deceptive.

- (2) Unlawful goods or services. The advertisement, or any material contained in it, promotes or encourages, or appears to promote or encourage, the use or possession of unlawful or illegal goods or services.
- (3) Unlawful conduct. The advertisement, or any material contained in it, promotes or encourages, or appears to promote or encourage, unlawful or illegal behavior or activities.
- (4) Endorsement. The advertisement, or any material contained in it, implies or declares an endorsement by the City of any service, product or point of view, without prior written authorization of the City.
- (5) Obscenity or Nudity. Contains any nudity, obscenity, sexual conduct, sexual excitement, or sadomasochistic abuse as those terms are now, or may hereafter be, defined in ORS 167.051 to ORS 167.100. It is the intent of this category to restrict any proposed advertisement which violates any provision of the statutory scheme set forth in ORS 167.051 to ORS 167.100, including amendments or supplements thereto. All proposed advertisements considered pursuant to this category must clearly and unmistakably demonstrate compliance with the statutory scheme.
- (6) Libelous speech, copyright infringement. The advertisement, or material contained in it, is libelous or an infringement of copyright, or is otherwise unlawful or illegal or likely to subject the City to liability.
- (7) Interference. Displays any word, phrase, symbol, or character likely to interfere with, mislead, or distract traffic, or conflict with any traffic control device.

D. Accepted Advertising. The spaces available on the City buses may become limited in number. Therefore, advertising that meets the requirements set forth herein, will be accepted on a first-come, first-served basis.

E. Advertising Program and Administration. The City may, from time to time, select an "Advertising Contractor" who, if selected, shall be responsible for the daily administration of the City's advertising program, in a manner consistent

## Council Policy 07-1.10

with this policy.

F. Severability. If any category set forth in Section 1.10.030.C is determined to be invalid as applied in a specific context, the category shall remain applicable in all other permissible contexts.

G. CTS promotions. Consistent with the limitations contained herein, Corvallis Transit System may display on City buses materials, including advertisements and notices, that pertain to operations, service promotions or any other non-commercial purpose.

H. Disclaimer of Liability. Upon submission of advertising, Advertiser expressly agrees that the City is not liable for any damages, whether direct or indirect, arising out of delays in posting of the advertisement due to the review process. Advertisers are urged to submit their advertisements with sufficient lead time to allow for review, if necessary.

### 1.10.040 Implementation

This policy will be incorporated by reference in the contract between the City and the Advertising Contractor, and the City will provide oversight to ensure that the content standards set forth in this policy are adhered to.

### 1.10.050 Review and Update

This policy shall be reviewed every 3 years by the Public Works Director and updated as necessary.